REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested.

Claims 1-7, 9-24, and 26-35 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Tagami et al. (US 5,812,070, hereinafter "Tagami"). This rejection is traversed.

The claimed subject matter is directed towards a vehicle sharing system and method that involve reserving vehicles with the highest state of charge ("SOC"). Travel information concerning a "specific, planned trip" may be received. The information is usable to determine the SOC necessary for that trip. A group of vehicles with a sufficient SOC to meet the specific, planned trip is selected. From the group of vehicles with a sufficient SOC, the second or N highest SOC vehicle in the group may be chosen.

The information concerning the specific, planned trip may include a distance for the trip, a time period of use, or information about an expected distance of travel beyond a direct route (see, for example, claims 3, 4, and 5).

Tagami teaches a vehicle sharing system that fundamentally differs because Tagami relies upon past usage history to allocate cars. In Tagami, information about a user is stored on an IC card. The past usage history is used to allocate a vehicle with a sufficient SOC. The IC card in Tagami does not include information about a specific, planned trip– i.e. information about a single, future trip – where that information is usable to determine the SOC necessary for that trip. Thus, because Tagami does not teach or suggest using information about a specific, planned trip to determine a sufficient SOC for

allocating vehicles, the present claims, as amended, are patentable in view of Tagami.

In addition, Tagami fails to teach or suggest the limitation of selecting a group of vehicles having sufficient SOC for a specific, planned trip or travel request (see independent claims 1, 2, 9, 19, 35). In Tagami, "the shared vehicle rental system selects a motor vehicle whose battery is not fully charged for a user whose past traveled distance is relatively short" (col. 8, lines 29-32). Tagami does not teach or suggest selecting a group of vehicles having a sufficient SOC.

In addition, Tagami teaches away from the feature of allocating the second highest or N highest SOC vehicle (see independent claims 1, 2, 9, 19, 35). The Official Action mailed March 28, 2001 acknowledges that allocating a vehicle having the second highest or N highest SOC in the group is not a feature disclosed in Tagami (Official Action mailed 3/28/01, pages 3, 13-14). The Official Action further states that it would have been obvious, "to select a vehicle having the second highest [or N highest] charge since the vehicle with the second highest charge still meets the inventive concept of Tagami for selecting a vehicle with a minimum amount of charge, because it would leave the vehicle with the most charge still available which therefore increases the operating efficiency" (emphasis added)(Official Action mailed 3/28/01, page 3).

Vehicles in the claimed subject matter are allocated, such that, out of the group of vehicles that are sufficiently charged, the vehicles allocated tend to be well charged. I.e. a vehicle that is the second highest or N highest charged vehicle in the group of sufficiently charged vehicles will tend to be more charged than vehicles with a mere sufficient amount of

charge necessary for a trip. Vehicles tend to be well charged in order to increase the battery charging efficiency of the fleet of vehicles, as battery charging efficiency tends to be increased if well charged vehicles are allocated prior to vehicles with a mere sufficient SOC for a trip (see present application, page 13, lines 4-17).

Tagami teaches away from this method of allocating vehicles. In Tagami, vehicles are allocated such that a user with a short past average traveled distance receives a vehicle with a low amount of charge and a user with a long past average traveled distance receives a vehicle with a high amount of charge (Tagami col. 4, line 63 through col. 5, line 16). Thus, the aim of increasing operating efficiency in Tagami appears to be focused on allocating vehicles relative to past usage history. This teaches away from allocating vehicles with the second highest or N highest SOC because vehicles with a second or N highest SOC would not tend to be charged relative to the past usage history. Rather, the vehicles allocated would tend to be well charged; unlike Tagami, well-charged vehicles tend to be allocated before vehicles that are merely sufficient. Thus, Tagami teaches away from the limitation of allocating a second highest or N highest SOC vehicle.

For all of these reasons, the Applicant suggests that claims 1, 2, 9, 19, and 35 are allowable. Additionally, claims 3-7, 10-18, 20-24, and 26-34 are dependent upon independent claims 2, 9, and 19, thus these claims should also be allowable.

Claims 8 and 25 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Tagami in view of Klein et al. (US 5,726,885, hereinafter "Klein"). This rejection is traversed. Because claims 8 and 25 depend on independent claims 2 and 19, respectively, and neither Tagami nor Klein teach or

suggest using information about a specific, planned trip to allocate vehicles with a sufficient SOC or selecting a group of vehicles having sufficient SOC for a specific, planned trip, these claims should also be allowable.

In view of the above amendments and remarks, therefore, all of the claims should be in condition for allowance. A formal notice to that effect is respectfully requested.

Please apply any necessary charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

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